

"Montgomery and Associates" found for a northwesterly corner of said Oak Tree Section One;

5. South 03° 06' 19" East, 66.77 feet (called South 03° 06' 40" East, 66.77 feet) to a  $\frac{5}{8}$ -inch iron rod found for a re-entrant corner on the north line of said Oak Tree Section One;

6. South 86° 53' 41" West, 315.00 feet (called South 86° 53' 20" West, 315.00 feet) to a  $\frac{5}{8}$ -inch iron rod found for the northwest corner of said Oak Tree Section One subdivision, same point being on the west line of said 312.7 acre tract, the east line of said 772.7 acre tract and on the common survey line of the aforementioned John Smither Survey, Abstract 521 and the T. & N. O. R.R. Co. Survey, Abstract 566;

Thence, South 03° 05' 17" East with the common line of said 772.7 acre tract, said Oak Tree Section One, and said common survey line, 1,245.40 feet to the POINT OF BEGINNING and containing 461.19 acres of land.

Said Tract One (134.09 acres) and Tract Two (461.19 acres) being a total of 595.28 acres of land.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7986, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7986.106 to read as follows:

*Sec. 7986.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.*

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. This Act takes effect September 1, 2017.

Passed the Senate on May 4, 2017: Yeas 31, Nays 0; passed the House on May 24, 2017: Yeas 137, Nays 9, two present not voting.

Filed without signature June 9, 2017.

Effective September 1, 2017.

---

## TEXAS ECONOMIC DEVELOPMENT FUND FOR THE DEPARTMENT OF AGRICULTURE

### CHAPTER 459

H.B. No. 2004

#### AN ACT

relating to the Texas economic development fund for the Department of Agriculture.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Sections 12.0272(a) and (b), Agriculture Code, are amended to read as follows:

(a) The Texas economic development fund is a fund in the state treasury. The fund consists of:

(1) all interest, income, revenue, and other assets associated with economic development programs established using money allocated and paid to the department under the August 15, 2011, allocation agreement between the department and the United States Department of the Treasury, as amended, to implement the State Small Business Credit Initiative Act of 2010 (12 U.S.C. Section 5701 et seq.);

(2) all money, deposits, distributions, dividends, earnings, gain, income, interest, proceeds, profits, program income, rents, returns of capital, returns on investments, royalties, revenue, or yields received or realized by the department as a result of an investment made by or on behalf of the department pursuant to the August 15, 2011, allocation agreement between the department and the United States Department of the Treasury, as amended;

(3) gifts, loans, donations, aid, appropriations, guaranties, allocations, subsidies, grants, or contributions received under *Sections 12.022 and [Section] 12.027(g)*;

(4) interest and income earned on the investment of money in the fund; and

(5) other money required by law to be deposited in the fund.

(b) Money in the Texas economic development fund *is dedicated to and* may be appropriated only to the department for the purposes ~~[purpose]~~ of administering, *continuing* ~~[establishing]~~, implementing, or maintaining:

(1) an economic development program *originally established as part of the department's implementation of the State Small Business Credit Initiative; and*

(2) ~~[under this section and is dedicated to and may be used only for the administration, establishment, implementation, or maintenance of]~~ one or more of the department's economic development programs:

(A) *established to encourage the export of Texas agricultural products or products manufactured in rural Texas; or*

(B) *established through an agreement with a federal agency, foreign governmental entity, local governmental entity, nonprofit organization, private entity, public university, or state governmental entity to encourage rural economic development in this state.*

SECTION 2. Chapter 12, Agriculture Code, is amended by adding Section 12.0273 to read as follows:

**Sec. 12.0273. LIMITATIONS ON LOANS AND GRANTS FROM TEXAS ECONOMIC DEVELOPMENT FUND.** (a) *The department may use money in the Texas economic development fund only to make loans and grants in the manner provided by this section for the purposes provided by Section 12.0272(b).*

(b) *The recipient of a grant using money from the fund must provide matching funds in an amount equal to 25 percent of the amount of the grant.*

(c) *The term of a loan made using money from the fund may not exceed 20 years. A loan must require monthly payments of principal and interest beginning not later than the 90th day after the date the loan is made.*

(d) *The department shall administer the fund as a perpetual source of financing for loans and grants under this section. The department shall use payments of principal and interest to make additional loans and grants.*

(e) *The cumulative amount of loans and grants to any person using money from the fund may not exceed \$1 million.*

(f) *The department shall retain in the fund in the state treasury an amount of money equal to at least 25 percent of the amount of money in the fund on January 1, 2017.*

(g) *Not later than December 1 of each even-numbered year, the department shall submit*

*a report on the status of the fund, including loans and grants made using money from the fund, to the governor, lieutenant governor, speaker of the house of representatives, and chairs of the house and senate committees with primary jurisdiction over the department.*

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 6, 2017: Yeas 126, Nays 16, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 2004 on May 24, 2017: Yeas 126, Nays 19, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2017: Yeas 25, Nays 5.

Approved June 9, 2017.

Effective June 9, 2017.

## AN EXEMPTION FOR CERTAIN LAW ENFORCEMENT AND MILITARY PERSONNEL FROM THE REQUIREMENT TO COMPLETE A HUNTER EDUCATION PROGRAM

### CHAPTER 460

H.B. No. 2009

#### AN ACT

**relating to an exemption for certain law enforcement and military personnel from the requirement to complete a hunter education program.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 62.014, Parks and Wildlife Code, is amended by amending Subsection (n) to read as follows:

(n) The following persons are exempt from any requirement to complete ~~the live firing portion of~~ a hunter education course under this section:

- (1) an honorably discharged veteran of the United States armed forces~~;~~ or
- ~~[(2)]~~ a person who is on active duty as a member of the United States ~~armed~~ ~~[military]~~ forces;
- (2) a person who is on active duty or has previously served as a member of the Texas Army National Guard, the Texas Air National Guard, or the Texas State Guard; or
- (3) a person who is serving or has previously served as a peace officer described by Subdivision (1), (2), (3), or (4), Article 2.12, Code of Criminal Procedure~~[-the Texas Army National Guard, the Texas Air National Guard, or the Texas State Guard].~~

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 9, 2017: Yeas 146, Nays 0, 1 present, not voting; passed by the Senate on May 24, 2017: Yeas 31, Nays 0.

Approved June 9, 2017.

Effective June 9, 2017.